



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS TEXAS 75202-2733

March 16, 1998

STATEMENT OF FINDINGS

This Statement of Findings (SOF) finalizes the U.S. Environmental Protection Agency's (EPA) Environmental Assessment (EA) process conducted in accordance with the procedures at 40 CFR Part 6, for the proposed awarding of Border Environmental Infrastructure Fund (BEIF) grant funds to Ciudad Juarez, Chihuahua, Mexico. The city proposes to construct the North and South Wastewater Treatment Plants using funds provided through the North American Development Bank (NADBank). The two plants will have an initial combined capacity of 80 million gallons per day (MGD). The South Plant is designed for expansion by another 57 MGD.

On the basis of the EA, EPA has made a preliminary finding that granting of the BEIF funds will not result in a significant adverse impact to the environment and that an Environmental Impact Statement (EIS) is not warranted. The preliminary Finding of No Significant Impact (FNSI) was issued for public notice on January 17, 1998, and the 30-day comment period expired on February 17, 1998. No comments were received to alter the finding. The only comments received were from the following comments from the U.S. International Boundary and Water Commission (IBWC):

Finding of No Significant Impact (FNSI)

The FNSI should include important information such as:

- The plants will be advanced primary treatment plants;
- The U.S. Environmental Protection Agency, Region VI (EPA) grant funds will also be used for the expansion and rehabilitation of the collection system; and
- During the non-irrigation season, the wastewater ultimately discharges and will continue to discharge into the Rio Grande.

EPA RESPONSE:

While these points are noted, except for the reference to the expansion and rehabilitation of the collection system, this information is included in the Environmental Assessment. Regarding the expansion and rehabilitation of the collection system, see the response to the next comments.

Environmental Assessment (EA)

- Section 2.2, Alternatives Considered by the Applicant, under Process Alternatives: This section should include the alternative for advanced primary wastewater treatment. The document should also clearly indicate which was the preferred alternative. This section should also include the alternatives considered for the collection system. This information is

readily available from the Border Environment Cooperation Commission (BECC) and both EPA and the IBWC reviewed this information as part of the BECC certification process. The EA should include a summary of the alternatives considered. It is our understanding that more than 50% of the \$11.08 million (the estimated EPA grant amount) will be used to fund wastewater collector expansion and rehabilitation. Therefore, the wastewater collector expansion and rehabilitation should be included in the EA.

EPA RESPONSE:

We agree with the IBWC that the EA should have clearly mentioned the preferred alternative and the alternative to use advanced primary treatment. The EPA opted to present the preferred alternative and the use of advanced primary treatment in Section 1.2, the description of the proposed project. Section 2.2 presents the options considered by the applicant as presented in the environmental information document. Regarding the use of EPA funds for the various elements of the proposed projects, there is no specific predetermined allocation of the EPA funds. The funds, including the EPA portion, are distributed as needed for funding the total project.

- Section 3.3, Air Quality: This section should address odors, not only from the wastewater treatment plant, but also from the effluent discharged into the Rio Grande during the non-irrigation season. Further, based on the large financial commitment by the United States, the IBWC strongly recommends that the EPA, as a condition of the grant, retain the right to approve the design of the wastewater collector rehabilitation and expansion works financed with EPA funds. This is requested in an effort to ensure that United States funds spent in Mexico will eliminate or minimize impacts to the United States. The IBWC has previously expressed concerns regarding the impact of the unsewered areas in Ciudad Juarez adjacent to the Rio Grande, particularly the Colonia Felipe Angeles located in the west side of the city. The IBWC recommends the expansion of the collection system to that area be given a high priority. Additionally, the IBWC requests the EPA provide any design, plans and schedule prepared by Mexico for our review and comments.

EPA RESPONSE:

The review of the design of the project is a responsibility of the Mexican authorities in accordance with national statutes and regulations. EPA conducted an EA of a project within the sovereign Mexican jurisdiction, not to impose any requirements on them, but to assure our government that our action would not have a detrimental effect on sovereign soils, as well as on the United States. The issue of odors has been adequately addressed, and should not present any problems based on the treatment process. The project, which includes sewerage system work based on the affordability of the project for the construction phase that includes the treatment plants, is seen as a beneficial action for both Mexico and the United States.

Responsible Official,

Jerry Clifford
Acting Regional Administrator